

Remarks:

Applicant has studied the Office Action dated 10/25/2005, and has amended the claims to distinctively claim the subject matter of the invention. Support for the amendments is found within the specification and the drawings. It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

**§102 Rejection(s):**

The Examiner rejected claims 1-20 as being anticipated by US Patent 6,299,322 (Yokota).

It is respectfully noted that anticipation of claims using a drawing requires that "the picture must show all the claimed structural features and how they are put together" and "[t]he drawings must be evaluated for what they reasonably disclose and suggest to one of ordinary skill in the art." M.P.E.P. §2125. Furthermore, anticipation of a claim under 35 U.S.C. §102 (a), (b) and (e) requires that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," that "[t]he identical invention must be shown in as complete detail as is contained in the ... claim" and "[t]he elements must be arranged as required by the claim." M.P.E.P. §2131. Since the Yokota reference fails to disclose at least one of the recited elements in the amended claims, a rejection under § 102 would be improper.

Yokota discloses a device, for a portable radio, capable of selectively adjusting the illumination of displays or keys. The disclosed device comprises a controller and adjustment circuits between the power source and the illuminating LEDs for turning the LEDs ON and OFF, or adjusting their illumination. However, Yokota fails to disclose a system that is capable of performing the three important attributes together: (1) photo sensing their ambient light of surroundings together with (2) receiving from the user illuminating adjustments and (3) saving these configurations for future use.

In contrast to Yokota, the present invention proposes a system and method for configuring illumination states in a mobile device according to the user preferences. As disclosed by the method and the corresponding claims, a photo sensor generates a signal indicating the intensity of ambient light where the signal is processed by a processor or compared by a comparator. In both cases, the user can determine a threshold for determining the intensity of illumination for the connected user interfaces. Since the method uses implemented software and storage media, the determined threshold may be saved. Once the user has determined the illuminating threshold and the illuminating intensity associated with the intensity

of the ambient light, the mobile device may store these inputs and use them to control the illumination of the user interfaces. In this manner, the present invention provides to each user an improved personal adaptation level, which considers not only the ambient illumination conditions, but also his illumination preferences at each ambient condition.

In light of the above, it is respectfully submitted, that the system for configuring and storing illumination states in a mobile device according to the user preferences, as described in the present invention, operates differently than the ones disclosed in the above prior art and has a clear advantage. Accordingly, the Applicant feels that prior art citations do not deny novelty or inventive step of the present invention, as claimed.

For the above reasons, the invention as recited in the amended claim 1 is distinguishable over the reference cited by the Examiner. The remaining claims either incorporate the discussed limitations of claim 1 or are dependent therefrom. Therefore claims 1-20 should be in condition for allowance.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have expressly argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number [310] 789 2100 to discuss the steps necessary for placing the application in condition for allowance.

Pursuant to 37 CFR 1.33 (a)(b) amendments and other papers filed in the application may be signed by a registered patent attorney of record who acts in a representative capacity under the provisions of § 1.34; OR an assignee as provided for under § 3.71(b) of this chapter. Mr. Gadi Meroz is legal counsel for IXI Mobile, Ltd. the assignee of entire interest for the present patent application, as recorded in the United States Patent Office records on 04/02/2004 on Reel 015183, Frame 0616. Mr. Gadi Meroz is authorized to sign this correspondence on behalf of the assignee of the entire interest.

Respectfully submitted,

Date: April 25, 2006

By: /Gadi Meroz/  
Gadi Meroz, Esq. (Legal Counsel)  
Authorized Representative of IXI Mobile Ltd.

The content of this amendment have been approved for form but have not been prepared or approved by the undersigned for responsiveness to the grounds of rejection. This amendment is being filed pursuant to client's request to maintain the pendency of the application.

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